THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8897 of 2006

28.04.2006

Between:

Shareefunnisa Begum.

… Petitioners

AND

The District Collector, Ranga Reddy District, and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8897 of 2006

ORDER:

This Writ Petition is filed seeking a writ of mandamus declaring the action of the respondents, namely, the District Collector, Ranga Reddy District, the Mandal Revenue Officer, Serilingampally Mandal, the Deputy Collector, Land Protection Cell, Ranga Reddy District, and others in trying to erect fencing in part of the patta land of the petitioner as illegal and arbitrary. The petitioner also seeks a consequential direction to the respondents not to interfere or alter the nature of the property of the petitioner situated in Survey No.68 of Madhapur Village, Serilingampally Mandal, Ranga Reddy District.

The case of the petitioner is that she is the absolute owner and possessor of 7/10th share of land in Survey No.68 admeasuring Ac.3.35 guntas situated at Madhapur Village, by reason of preliminary decree passed by the Court of the I Additional Senior Civil Judge, City Civil Court, Hyderabad in O.S.No.42 of 1962. She alleges that on 21.04.2006 and 22.04.2006 the respondents under the leadership of the first respondent came to her land and made attempts to fence the land without

conducting any survey or demarcation. Apprehending dispossession, the present Writ Petition is filed.

The matter was listed yesterday for preliminary hearing to enable the learned Assistant Government Pleader for Revenue (General) to get instructions, it was adjourned to today. After getting instructions, the learned Assistant Government Pleader submits that the land in Survey No.68 of Madhapur Village is a patta land whereas the land adjacent to it in Survey No.64 is a Government land. He also submits that the respondents have not interfered with the possession of the petitioner's land nor any attempt was made to fence the land. He denies such allegation. He has also placed before this Court a brief note submitted by the Deputy Collector and the Mandal Revenue Officer, Serilingampally Mandal, Ranga Reddy District, to that effect. The same is made part of the record.

In view of the submission made by the learned Assistant Government Pleader admitting that the land in Survey No.68 is a patta land and no attempt was made to fence the land, the Writ Petition is disposed of accordingly. No costs.

_____

(**V.V.S.RAO, J**)

28.04.2006

vs